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Via First Class Mail

The Honorable F. Dennis Saylor IV
1 Courthouse Way
Courtroom 2, 3rd floor
Boston, MA 02110

**Re: Shea v. Porter, et. al.
Docket 08-CV-12148**

Dear Judge Saylor,

Reference is made to the Court's Memorandum and Order on Plaintiff's Motion for Attorney's Fees and Costs. (Docket 462). I am most respectfully requesting that the court consider changing the language in one sentence.

On page 16, the court wrote:

Sinsheimer billed "for a dinner with 'Mears', a party that appears unrelated to the case."

Richard Mears was plaintiff's expert witness at the time I tried the case. On May 1, 2013, I attended a working dinner with Mr. Mears during which time we carefully and thoroughly prepared his expert testimony. Mr. Mears testified in open court the next morning.

Please recall that this was in the midst of trial. Mr. Mears was from the State of Maine and (to the best of my current recollection) we had not been able to meet in person prior to May 1st. I believe that Mr. Mears testimony was accurate and succinct, in part the result of our mutual hard work the evening before trial. (See transcript May 2, 2013)

Our little firm takes enormous pride in our use of state of the art time and billing software, and our discipline in entering accurate time records contemporaneously.

No doubt, the time entry "dinner with Mears" is cryptic at best, but it is most certainly accurate and most certainly related to the case.

I want to be crystal clear that this letter is not a request for additional funds. I am simply respectfully requesting the sentence be altered to reflect that Mr. Mears was in fact the expert



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who testified the very next morning. As it reads now, there is the implication (however slight) that our record contains a false entry.

I am also respectfully requesting that this letter be included in the docket.

Thank you for your consideration.

Very truly yours,



Robert S. Sinsheimer